

***Effective 5/13/2014***

***Superseded 5/10/2016***

**77-20-4 Bail to be posted in cash, by credit or debit card, or by written undertaking.**

- (1) Bail may be posted:
  - (a) in cash;
  - (b) by written undertaking with or without sureties at the discretion of the magistrate; or
  - (c) by credit or debit card, at the discretion of the judge or bail commissioner.
- (2) Bail may not be accepted without receiving in writing at the time the bail is posted the current mailing address and telephone number of the surety.
- (3) Bail posted by debit or credit card, less the fee charged by the financial institution, shall be tendered to the courts.
- (4) Bail refunded by the court may be refunded by credit to the debit or credit card, or cash. The amount refunded shall be the full amount received by the court under Subsection (3), which may be less than the full amount of the bail set by the court.
- (5) Before refunding bail that is posted by the defendant in cash, by credit card, or by debit card, the court may apply the amount posted toward accounts receivable, as defined in Section 76-3-201.1, that are owed by the defendant in the priority set forth in Section 77-38a-404.